

### **REMARKS**

This amendment is responsive to the Final Office Action issued April 8, 2010. Reconsideration and allowance of claims 1, 8, 9, 19-22, 24, 25, and 27-36 are requested.

#### **The Office Action**

Claims 1, 8, 9, and 27-30 stand allowed.

Claims 13 and 33 stand rejected under 35 U.S.C. § 103 over Packer (US 6,556,695) as modified by Castro-Pareja (US 7,280,710).

Claim 19 stands rejected under 35 U.S.C. § 103 over Packer as modified by Castro-Pareja, as further modified by either one of Fujii (US 5,285,786) or Yoshioka (US 6,859,548).

Claims 20-22, 24, 25, and 34-36 stand rejected under 35 U.S.C. § 112, first paragraph. These claims do not stand rejected on art and are understood to contain allowable subject matter once the 35 U.S.C. § 112, first paragraph issues are resolved.

Claims 31 and 32 were indicated as containing allowable subject matter if placed in independent form.

Claim 33 stands rejected under 35 U.S.C. § 103 over Packer as modified by Castro-Pareja and under 35 U.S.C. § 112, first paragraph.

#### **The Present Amendment Should Be Entered**

First, it is submitted that the present amendment should be entered as placing the application in condition for allowance for the reasons set forth below.

Second, in the alternative, it is submitted that the amendment should be entered as reducing the issues on appeal, namely resolving the 35 U.S.C. § 112, first paragraph, issues.

The present amendment does not require further search or consideration. The present amendment merely removes or corrects terms which the Examiner asserted were not supported by the specification as filed, hence would have been given no patentable weight during the search and examination. It is submitted

that deleting such limitations or substituting synonymous limitations which are supported by the specification would not require further search or consideration.

**The Claims Are Now in Condition  
For Allowance**

The allowance of claims 1, 8, and 27-30 is noted with appreciation.

Claim 13 has been cancelled and claim 31, which was indicated as containing allowable subject matter, has been placed in independent form including the subject matter of its parent claim 13. Accordingly, it is submitted that claim 31 and claim 32 dependent therefrom distinguish patentably over the references of record.

Dependent claim 19 has been amended to depend from allowable claim 31. Accordingly, it is submitted that claim 19 is now in condition for allowance.

Claim 20 has been amended to address the 35 U.S.C. § 112, first paragraph, issues by the Examiner. Specifically, "motion states" has been changed to "states" which finds antecedent basis in at least claims 5-7 of the application as originally filed. Also "programmed" has been changed to "arranged" which finds antecedent basis at least in claims 1 and 12 of the application as originally filed. Similar amendments have been made to claims 24, 25, 35, and 36. Accordingly, it is submitted that claims 20, 21, 24, 25, and 34-36 now comply fully with the requirements of 35 U.S.C. § 112, first paragraph. There being no outstanding rejection on art, it is submitted that these claims also distinguish patentably and unobviously over the references of record.

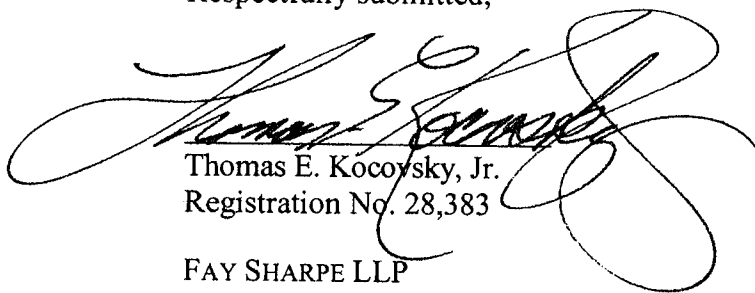
Regarding claim 33, the applicant encloses pp. 324-326 of The Encyclopedia of Computer Science as an exhibit that shows that computer processor based systems inherently include a computer readable medium or storage device which carries the code which controls the processor to function in the prescribed manner. Accordingly, it is submitted that the described computer readable medium is inherently disclosed in the present application and that claim 33 therefore complies fully with the requirements of 35 U.S.C. § 112, first paragraph.

**CONCLUSION**

For the reasons set forth above, it is submitted that claims 1, 8, 9, 19-22, 24, 25, and 27-36 now distinguish patentably over the references of record and comply with all statutory requirements. An early allowance of all claims is requested.

In the event the Examiner considers personal contact advantageous to the disposition of this case, the Examiner is requested to telephone Thomas Kocovsky at 216.363.9000.

Respectfully submitted,



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